

# CLAIMS

1. A DNA fragment containing the sequence of SEQ ID NO: 1 as a core sequence, whereby expression of a gene placed downstream of said DNA fragment is repressed in the presence of light.

2. The DNA fragment of Claim 1 which is a cis-element containing the sequence of SEQ ID NO: 2 or a nucleotide sequence obtained by deletion, substitution and/or addition of one or more bases in a part of the sequence of SEQ ID NO: 2 other than the core sequence of SEQ ID NO: 1, whereby expression of a gene placed downstream of said DNA fragment is repressed in the presence of light.

3. The DNA fragment of Claim 1 comprising the nucleotide sequence of SEQ ID NO: 3.

4. A promoter containing the nucleotide sequence of SEQ ID NO: 1 as a core sequence, whereby expression of a gene placed downstream of said promoter is promoted in the dark but repressed in the presence of light.

5. The promoter of Claim 4 containing the sequence of SEQ ID NO: 2 or a nucleotide sequence obtained by deletion, substitution and/or addition of one or more bases in a part of the sequence of SEQ ID NO: 2 other than the core sequence of SEQ ID NO: 1.

6. The promoter of Claim 4 comprising the nucleotide sequence of SEQ ID NO: 3.

7. The DNA fragment of any one of Claims 1 to 3 having a constitutive expression promoter sequence linked downstream of said DNA fragment.

Sub  
C1  
amend

8. The promoter of any one of Claims 4 to 6 having a constitutive expression promoter linked downstream of said promoter.

9. The DNA fragment of Claim 7 wherein the constitutive expression promoter is cauliflower mosaic virus 35S promoter.

10. The promoter of Claim 8 wherein the constitutive expression promoter is the cauliflower mosaic virus 35S promoter.

11. An expression cassette comprising a DNA fragment carrying a gene linked downstream of the DNA fragment or promoter of any one of Claims 1 to 10, whereby expression of said gene is repressed by light.

12. A plant cell transformed with the expression cassette of Claim 11 or a DNA fragment containing said cassette.

13. A plant transformed with the DNA fragment of Claim 11 or a progeny thereof, and a part of said plant or progeny.

Sub  
C2

gds  
C3